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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.              | CONFIRMATION NO.       |
|---|-------------|----------------------|----------------------------------|------------------------|
| 10/820,810  | 04/09/2004  | Yasuko Watanabe      | 12732-227001                     | 8884                   |
| 26171   | 7590        | 05/07/2007           |                                  |                        |
| FISH & RICHARDSON P.C.<br>P.O. BOX 1022<br>MINNEAPOLIS, MN 55440-1022 |             |                      | EXAMINER<br>GOINS, DAVETTA WOODS |                        |
|   |             |                      | ART UNIT<br>2612                 | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>05/07/2007          | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/820,810

Applicant(s)

WATANABE ET AL.

Examiner

Davetta W. Goins

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2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4,9,10,15,16,21,22,27 and 28 is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,11-14,17-20 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/5/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 are allowed.
2. Claims 25 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz et al. in view of Wu et al. (US Pat. 7,061,555 B2).

In reference to claims 1, 2, Aziz discloses a) the claimed substrate having a mirror surface and display device, which is met by an organic light emitting device (OLED) 110 including a substrate (col. 3, lines 19-22); col. 6, lines 36-54), and b) the claimed plurality of light elements each having a luminescent material sandwiched between a pair of electrodes having light-transmittivity arranged in the display means, which is met by a group of light emitting devices (col. 24, lines 35-63), each OED composed of a first electrode 220, a luminescent region 230

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composed of a light emitting zone 230B and charge transport zone 230A and a second electrode 240 (Col. 3, lines 1-11; Figure 2). Although Aziz does not specifically disclose the claimed substrate having a mirror surface, he does disclose that the substrate can be comprised of materials such as metallic compounds (col. 6, lines 36-55). Wu discloses a liquid crystal display including light emitting diode, and a substrate 400 with a reflective layer 404; the reflective layer 404 being a metallic layer (col. 5, lines 11-19). Since Aziz discloses a display device that includes a substrate that may be made of metallic compounds, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using a reflective substrate, as disclosed by Wu, with Aziz's system to save power when background light intensity is strong and the light-emitting diode display device can be used to boost light intensity level and contrast when background light intensity is weak.

5. Claims 7, 8, 13, 14, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz et al. in view of Wu et al. as applied to claims 1 and 2 above, and further in view of Kaspar et al. (US Pat. 5,631,638).

In reference to claims 7, 8, 13, 14, 19, 20, neither Aziz nor Wu disclose the claimed display device used for a side mirror for a vehicle or for a PDA. Kaspar discloses a display for a motor vehicle's rearview mirror comprising circuitry 10, a segment of electrodes 76, to provide a display shown on the mirror (col. 2, lines 26-67). Since it is known to use liquid crystal displays for vehicles placed behind a rear-view or side-view mirror, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using

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the display for a vehicle's side-view mirror, as disclosed by Kasper, to provide a well lit and high definition display that can be easily viewed by a driver without any glare.

6. Claims 11, 12, 17, 18, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. as applied to claims 5 and 6 above, and further in view of Kasper et al.

In reference to claim 11, 12, 17, 18, 23, 24, Wu does not disclose the claimed display device used for a side mirror for a vehicle or for a PDA. Kasper discloses a display for a motor vehicle's rearview mirror comprising circuitry 10, a segment of electrodes 76, to provide a display shown on the mirror (col. 2, lines 26-67). Since it is known to use liquid crystal displays for vehicles placed behind a rear-view or side-view mirror, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using the display for a vehicle's side-view mirror, as disclosed by Kasper, to provide a well lit and high definition display that can be easily viewed by a driver without any glare.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated Wu et al.

In reference to claims 5, 6, Wu discloses a) the claimed substrate having a mirror surface, which is met by substrate 400 including a reflective layer 404 (col. 5, lines 11-19), b) the claimed display means over the substrate, which is met by the actual liquid crystal display device (Fig. 4), c) the claimed plurality of liquid crystal elements each having a liquid crystal elements each having a liquid crystal material sandwiched between a first electrode and a second electrode having light-transmittivity arranged in the display means and alignment layer formed between the substrate and the first electrode, which is met by both liquid crystal device 426 and liquid crystal display device 428 including a first electrode and second electrode 408 with a liquid crystal layer 440 in between (col. 5, lines 29-54; Figure 4).

9. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.W.G.  
April 29, 2007

Davetta W. Goins  
Primary Examiner  
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